



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO.1603 of 2024

Sachin s/o Krushnarao Fating and ors.

..VS..

State of Maharashtra and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.S. Nagrare, Advocate for the applicants.
Shri U. Phasate, Addl.P.P. for the State
Shri N.S. Padia, Advocate for non-applicant no.2.

CORAM: VINAY JOSHI AND ABHAY J. MANTRI, JJ.
DATED : 12/11/2024.

Heard.

2. This is an application seeking to quash the prosecution i.e. R.C.C. No. 1953 of 2019 arising out of Crime No.82 of 2019 registered with the Kalmana Police Station, Nagpur City for the offence punishable under Sections 498-A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act on account of settlement.

3. The marriage between the couple took place in the year 2018 and after disagreement and feeling matrimonial harassment she left the husband's house and then lodged the report. The matter has been amicably settled in between the parties. They have already jointly applied for a decree of divorce as well as amount towards one time settlement has been fixed. The lady has appeared before the Court, gave her no objection to quash the proceedings. She also filed an affidavit-in-reply about her no objection.

4. It is a matrimonial dispute, which has been

settled between the parties. The offence cannot be termed as heinous or anti-social. In view of that continuation of prosecution would amount to abuse of the process of law.

5. In view of the above, the application is allowed. We hereby quash and set aside the criminal prosecution bearing R.C.C. No. 1953 of 2019 arising out of Crime No.82 of 2019 registered with the Kalmana Police Station, Nagpur City for the offence punishable under Sections 498-A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

6. The Criminal Application stands disposed of accordingly.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)

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